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munity have the right to pass and repass through every part of it without interruption as freely as in our own State," and Justice MILLER repeats the statement.<sup>1</sup> The whole question is fully treated, the analogy drawn from the federal power to prohibit foreign trade or trade with Indian tribes is examined and its falsity shown from its very extravagance, for, whereas it has been held that "from the beginning Congress has exercised as plenary power in respect to the exclusion of merchandise brought from foreign countries,"<sup>2</sup> no such doctrine has ever found judicial sanction with reference to interstate commerce.

It is to be regretted that this timely and interesting study of present-day problems should be only in the form of an opinion for clients and not in a publication accessible to the general public. P. F.

LABOR LAWS AND DECISIONS OF THE STATE OF NEW YORK. J. A. Cipperly. Albany, Banks & Company. 1904. pp. vii, 143.

Owing to the confused mass of statutes which a practicing lawyer is compelled to face in the preparation of his cases, a compilation of the laws relating to a given subject is always welcome, particularly if well annotated. The author of this pamphlet has evidently aimed to fill a want in this respect in regard to the subject of labor in New York State. The work is divided into two parts: Part 1st being entitled "Laws in Relation to Labor," and Part 2nd, "Labor Decisions Summarized." Part 1st includes the Labor Law of New York as amended to 1904, the sections of the Penal and Civil Codes relative to labor, and certain specific chapters of the laws of various years involving the relation of employer and employee. In Part 2nd, with the addendum covering the latest cases, the author claims to include all decisions to date (December, 1904).

The work as a whole is hardly satisfactory. The only value of a book of this kind is to make access to authority easy to those who desire to know how the law on a given subject stands. Part 1st could have been improved by the insertion of cross-references between the Labor Law and the Penal Code where a penalty is provided for violation of the Labor Law, and Part 2nd is almost useless on account of the manner in which the summaries of the cases are given. It reads as though a small part of the headnote of each case was copied verbatim from the report, without the statement of facts being given in a single instance, so that the reader is at a loss to know whether what he is reading is decision or mere obiter dicta. There would seem to be very little value in a work of this sort, unless some attempt at least is made to analyze the cases. Nor can the general arrangement be commended. It would have been more convenient to have the discussion of cases referring to the particular laws in the form of a footnote to the law itself, and not in a separate part of the book, while the decisions not interpreting a law could have been dealt with separately. The index seems complete as far as it covers the laws, but there is no index of the subjects discussed in the decisions. In short, though the author's object in writing the pamphlet is most

<sup>1</sup> Passenger Cases, 7 How. 492; *Crandall v. Nevada*, 6 Wall. 49.

<sup>2</sup> *Buttfield v. Stranahan* (1903) 192 U. S. 492.

commendable, and though the work will undoubtedly be useful to the profession and the public, the work is by no means as well and carefully executed as it might have been.

HANDBOOK OF JURISDICTION AND PROCEDURE IN UNITED STATES COURTS. By Robert M. Hughes, M. A., of the Norfolk (Va.) Bar. Author of Handbook of Admiralty Law. St. Paul, Minn., West Publishing Co. 1904. pp. xviii. 634.

This is one of the late numbers of the Hornbook Series and follows the familiar style of type and spacing of those books. They are not designed to contain the refinements and qualifications of the subjects treated, and in this volume Mr. HUGHES disclaims any pretense of an exhaustive treatise. He should therefore perhaps not be justly criticized for most of his omissions, but there are several which seem to seriously impair the value of the book.

There is no table of statutes, nor are there any citations of any statute in connection with the history of former legislation (e. g. pp. 18, 19, 73, 95, 122). In many cases when mention is made of more recent statutes, for example, in the discussion of the Bankruptcy Act, there is no reference to the volumes of the Statutes at Large where the original law and its amendments can be found. Instead, the author there cites U. S. Com. Stat. 1901 and its supplements, referring we presume to a compilation of his publishers which is not generally used and has no official authority. The student who wishes to be able to point the original statutes needed must annotate the book himself and if the other publication is not in his library, as must often be the case, he will be put to a great annoyance. Similarly in the citation of cases in the Circuit and District Courts all that we have found prior to the Federal Reporter are cited not to the original reports but only to the West Publishing Company's collection of Federal Cases.

The space allotted to different subjects has no relation to their importance. Criminal practice, which not one student in a thousand will ever have occasion to use in the federal courts, has as much or more space than practice in equity, which is the subject upon which he requires the most assistance. Admiralty has but two pages with a footnote saying, "The jurisdiction of the admiralty courts is so extensive that it is impossible in this treatise to discuss it. Reference is made to the author's treatise on Admiralty, published in the year 1901."

The chapter on Habeas Corpus never mentions the most important practical question at the present time, the right of emigrants thus to procure a review of orders for their deportation.

The discussion on the subject of parties and indeed of every branch of equity practice seems inadequate. Amongst other defects we can find no mention of U. S. R. S. § 4920, which as construed requires that, unless certain defenses in patent suits are pleaded, no evidence will be admitted in their support.<sup>1</sup> There is no explana-

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<sup>1</sup> Feese v. Huntington, 23 How. 2; Bates v. Coe, 98 U. 31; Jennings v. Pierce, 15 Blatch. 82.